

Deed of Settlement
No 2

1820

44010/P
(P)

ROYAL ARMY MEDICAL
CORPS FRIENDLY SOCIETY

2350



Digitized by the Internet Archive
in 2018 with funding from
Wellcome Library

<https://archive.org/details/b3036257x>

1877

THE NEW YORK

LIBRARY

OF THE CITY OF NEW YORK

1877

THE NEW YORK

LIBRARY

OF THE CITY OF NEW YORK

1877

THE NEW YORK

LIBRARY

OF THE CITY OF NEW YORK

DEED
OF
SETTLEMENT
OF
The Society
FOR THE BENEFIT
OF THE WIDOWS
OF THE OFFICERS
OF THE
HOSPITAL AND REGIMENTAL
Medical Staff
OF
HIS MAJESTY'S ARMY.

INSTITUTED JANUARY 1st, 1816.

*With the Alterations and Additions made by the
General Meeting, 26th May, 1820.*

London:

PRINTED BY FRANK DUTTON, RED LION COURT,
FLEET STREET.

1820.

334219

11211

WELLS

LIBRARY

INSTITUTION

WELLS LIBRARY INSTITUTION



11211

WELLS LIBRARY INSTITUTION

WELLS LIBRARY INSTITUTION

WELLS LIBRARY INSTITUTION

WELLS LIBRARY INSTITUTION

WELLS LIBRARY INSTITUTION

WELLS LIBRARY INSTITUTION

WELLS LIBRARY INSTITUTION

WELLS LIBRARY INSTITUTION

D E E D

OF

*SETTLEMENT, &c.**

TO all whom these Presents shall come, We, whose names are hereunto subscribed, and Seals affixed, “ Officers of the Hospital Staff and Regimental Medical Officers of His Majesty’s Army,” send greeting. Whereas, we being desirous of establishing a Fund for the better support and maintenance of our Widows, for the better effectuating such our design, and for securing a Pension or Yearly Sum to the Wives of such of us as shall survive us, have agreed and by these Presents do agree, to erect and form ourselves into a voluntary Society and mutual contribution, by the name, style and title of “ *The Society for the Benefit of the Widows of the Officers of the Hospital & Regimental Medical Staff of His Majesty’s Army,*” and to create a Fund for that purpose, upon and under, and subject to the Terms and Conditions

* Note—Certain Alterations and Additions in and to the several Articles numbered 7, 8, 10, 13, 15, 18, 20, 23, 25, 31, 35, 38 & 39, or others respectively, having been made in strict conformity with the directions contained in the 47th Article, are to be held as firmly established, and to have the same force and effect as if they had formed a part of the original Deed of Settlement.

Clauses, Orders, Regulations, Provisions, and Agreements hereinafter expressed and declared ; and for the better forming, governing, and regulating such Society, and the Proceedings thereof, and the more effectual promotion of such useful and beneficial ends and purposes, We do hereby severally consent, covenant, promise, undertake and agree, each and every of us for himself, to and with the others, and other of us, to conform to, observe, fulfil, and keep all and singular the Articles, Clauses, Provisions, Agreements, Conditions, Rules and Regulations hereinafter contained or mentioned ; that is to say—

FIRST.

THAT this Society shall and may consist of all such persons as now are, or hereafter shall be Commissioned Officers of the Hospital and Regimental Medical Staff of the Army, whether upon Full or Half Pay, including Surgeons of regular Militia Regiments and the Medical Officers in the service of the Hon. East India Company.

II.

THE Society shall consist of two classes of Subscribers ; the Widows of the First Class of Subscribers shall receive an annuity not exceeding £40 ; and the Widows of the Second Class of Subscribers, an annuity not exceeding £20.

III.

ALL Subscribers of the First Class who are married, to pay an annual subscription of *Five Guineas*.

IV.

ALL Subscribers of the Second Class who are married, to pay an annual subscription of *Two Guineas and a Half*.

V.

ALL Subscribers of the First Class who are unmarried, to pay an annual subscription of *Two Guineas*.

VI.

ALL Subscribers of the Second Class who are unmarried, to pay an annual subscription of *One Guinea*.

VII.

ALL persons joining the Society as married members shall, if of the first class of subscribers, pay a fine of *Ten Guineas*; and, if of the second class of

subscribers, a fine of *Five Guineas*, in addition to the first year's subscription.

VIII.

THAT every Member of this Society, being single at the time of his admission, who shall afterwards marry, shall pay to the Secretary of the Society for the use thereof, a marriage fine of *Twenty Guineas* if a Subscriber of the First Class, and *Ten Guineas* if a Subscriber of the Second Class, in addition to the before-mentioned subscription of *Five* and *Two and Half Guineas* for first and second class subscribers. But if he shall have paid ten Annual subscriptions as a bachelor, he shall pay a marriage fine of only *Ten Guineas*, if a Subscriber of the First Class, and *Five Guineas* if a Subscriber of the second class; and if he shall have paid Twenty annual subscriptions as a bachelor, he shall be admitted without any other fine than that specified in article ten.

IX.

That every Member of this Society, being a Subscriber of the second class, may be admitted with the consent of the Committee, at any future period, to become a Subscriber of the first class, and entitled to all the advantages thereunto arising, provided he pay up the difference between the fine and subscription of the first and second class, with interest

and compound interest from the period he first became a Member of the Society.

X.

THAT all Officers becoming Members, who shall be married at the time of their becoming such, or who may afterwards marry, and whose ages exceed those of their Wives respectively, more than five years, shall pay for every year beyond that limit, a *Fine*, exclusive of the marriage fine, respectively mentioned in the 7th and 8th Articles, as follows, that is to say—

Subscribers of the First Class under the age of

30 Years		£ 2 0 0
40		2 14 0
50		3 15 0
60		4 10 0
70		6 0 0

and Subscribers of the second class half the above sums.

XI.

EVERY Member of the Society shall be liable to pay his annual payment or contribution money only as a bachelor, for all such time as he shall have been a bachelor or widower; every such payment as a widower to commence and be computed from the last day of June or December next before the death of his

wife, and as a married man from the last day of June or December next before his marriage.

XII.

THAT this present Deed shall be printed, and copies distributed by the Committee to all the Officers mentioned in rule the 1st. and to the Medical Boards of the Presidencies of the Hon. East India Company, for the information of their Officers, inviting them to become Members of the said Society, and requesting an answer to be given to the same as soon as possible, addressed to the Secretary; which answer shall be duly registered.

XIII.

THAT if any married Officer now in the department, or any one who may hereafter be appointed, shall decline becoming a member of the Society for three months after he shall have received the before-mentioned deed, or who, after having accepted the same, shall delay for three months if in the United Kingdom; six months if in Europe, and twelve months if out of Europe, either personally, or by letter of attorney, to sign the deed of settlement, and all other necessary papers and covenants, he shall not be entitled to become a member, nor shall he afterwards be admitted, but with the consent of the Committee, and of two thirds of the Members present at the annual

Meeting; and he shall likewise pay a fine of *Ten Guineas* if a subscriber of the first class, and *Five Guineas* if a subscriber of the second class, in addition to his first year's subscription, and the fines mentioned in articles seven and ten.

XIV.

THAT if any Member of this Society shall afterwards, on any account whatever, quit or leave the Army, such Member, making regularly the payment of the said contribution money, and all other payments to the Society, and in all things conforming to the rules, orders, and regulations thereof, shall and may be, and continue, a Member of this Society; and the Widow of every such Member shall be entitled to the like dividends, annuity and advantages, as she would have been entitled to, if such Member had not quitted the Army.

XV.

IN order to give permanency and security to this Society, it is determined, that all subscriptions and fines accumulated during the first five years of the Society, that is from the 1st January, 1816, to the 1st of January, 1821, be purchased into the 3 per cent consols, or such other government security as the Trustees may approve, for the purpose of forming a fund for the benefit of this Society, and that the

same shall be, and continue a fund for the purposes hereinafter mentioned, and shall not be diminished on any account whatever, but may be increased at the end of every six months by a surplus, in manner hereinafter mentioned, and that the annual dividends or interest of the Society's said stock or capital, together with the fines on marriage, and the annual payment or contribution money, shall be deemed the annual income of the Society, and shall be charged and chargeable with, and applied in the first place for, and in payment of the ordinary expences of the Society, and all such extraordinary expences as the Committee for the time being shall think necessary or expedient to be allowed; and the annuities shall then be paid in their relative proportions every half-year, to and amongst all and every the Widows of the deceased Members of the Society; not exceeding Twenty Pounds half-yearly to each Widow of a Member of the first class of Subscribers; and Ten Pounds half-yearly to each Widow of a Member of the second class of subscribers.

XVI.

PROVIDED always, nevertheless, that no Widow of any Member of this Society, shall be entitled to any pension or annuity from this Society, until her Husband shall have been a subscriber five years, and made six annual payments.

XVII.

THAT every Member of the said Society, or the agent or substitute of such Member, who shall neglect to pay the annual contribution money, or other monies payable to this Society, (which will become due the 1st of January and 1st July, respectively, of each year) on or before the 25th day of March, or the 25th day of October next, after the end of any half-year, when the same became due, shall within three months then next, be by letter from the Secretary, by order of the Committee, required to pay the same on or before the 1st March, or 1st of October, then next following.

XVIII.

THAT every Member of the said Society, by himself, his agent or substitute, refusing or neglecting to pay such annual contributions, or other monies by him payable as aforesaid, on or before the 1st day of March or 1st day of October next, after such notice, shall thenceforth be expelled from and shall cease to be and shall never afterwards be admitted a member of the Society, unless such explanation for the non-payment shall be given as may appear satisfactory to the Committee for the time being; and subject to the approbation of the next general meeting; and such expulsion shall be a forfeiture of all monies by such Member theretofore paid to, or for the use of the said Society, and of all benefit and advantage whatever to

arise to such expelled Member, or to the Widow of such expelled Member, or any claiming under them or either of them.

XIX.

THAT an account shall be, on or before the first day of March and the first day of September in every year, made up and stated by the Secretary of the Society for the time being, of all receipts and disbursements of the Society.

XX.

THAT whatever surplus shall remain over and above what shall be sufficient for payment of the Secretary's salary, and all ordinary and extraordinary expences, and half-yearly payments to the Widows, then such surplus shall be applied to the purchase of stock by way of increase of the capital or fund of the Society.

XXI.

THAT no monies belonging to this Society shall be paid, unless ordered by the Committee for the time being, or by some general meeting of the Society.

XXII.

THAT the Widows' Pensions or Annuities shall be paid to them half-yearly, without fee or reward to any agent or Officer of the said Society.

XXIII.

THAT the widow of every Member of this Society shall, before payment of any pension or annuity by this Society, make and deliver to the Committee for the time being, an Affidavit (according to the form No. 3 in the appendix) sworn before a justice of the peace resident in or near to the place where she shall then live or reside, setting forth her age and place of abode; that she was lawfully married to her husband, and when and where; and the place and time of his death, and of her being then unmarried; and shall also (if thereto required by the said Committee) produce a certificate or other sufficient proof of the said marriage; and shall afterwards upon application for, and previous to every half-yearly payment, make and produce to, and leave with the Committee for the time being, or the Secretary, an affidavit (according to the form No. 4 in the appendix) sworn before a justice of the peace residing in or near the place where she shall then live; to be expressed in such affidavit that she is now the widow of her deceased husband, who was a Member of this Society, and is not married to any other person; and thereupon such pension, annuity; or half-yearly payment may be made (with the

consent of the Committee) by the Secretary of the Society.

XXIV.

PROVIDED, That if any deceit or fraud shall be made use of by any such Annuitant, in any such affidavit, upon discovery and proof thereof, she shall be struck off the Society's list of annuitants, or pensioners, and forfeit all right and title to any benefit or pension from the Society.

XXV.

THAT all married and unmarried Members of the Society, are to give, the earliest notice to the Secretary of any change of their situation, and every unmarried subscriber shall accompany such notice with a declaration (agreeably to form No. 2, in the appendix) of his own and his wife's age respectively, and of the date of his marriage, as no widow will become entitled to her pension unless an intimation of such change be duly given, and a certificate of the marriage if required, shall have been lodged with the Secretary of the Society six months before she became a widow, or unless her marriage can be proved to the satisfaction of the Committee to have taken place twelve months before her husband's decease. Should any Member continue to subscribe as a bachelor for more than six months after his marriage, his widow

shall not be entitled to any benefit or pension from the Society ; and all monies previously paid by him to the Society, shall become thereby forfeited to, and for the use and benefit of the said Society ; nor shall he afterwards be admitted except under the provisions of the 13th article, and to be considered in every respect as a new Member.

XXVI.

THAT every Widow enjoying a pension or annuity under this Society, and marrying again, shall forfeit all title to the benefits of the Society during such marriage ; but in case she survives her last husband, she is then to become entitled to her former pension or annuity, during her future Widowhood.

XXVII.

THAT a Member of this Society marrying an Annuitant, shall not pay the marriage fines hereinbefore mentioned, and shall be only required to continue his subscription as a single man ; it being the intention of the Society, and so hereby declared, that no Widow shall be ever entitled to more than one Pension.

XXVIII.

THAT as often as any Member shall marry, he shall

pay the before-mentioned fines, for every such marriage, unless he marry an Annuitant.

XXIX.

THAT for the better and more orderly management of the affairs and business of the said Society, there shall be a *President*, and an unlimited number of *Vice-Presidents*, who shall be continued for life ; likewise an annual *Committee of Nine Members*, to be chosen as hereinafter mentioned.

XXX.

THAT a general Meeting of the Society shall be held once a year, in the month of May, the day and place of meeting to be fixed upon by the Committee, who will direct the Secretary to summon all the Members residing in London and its neighbourhood.

XXXI.

THAT in the next ensuing and every succeeding year, at the general meeting of the said Society, one third of the Committee shall go out by rotation, and the new Members shall be chosen by the majority of the votes of the Members present, the Committee to consist and be composed of nine of such of the Members as shall be resident in or then on duty in London ;

and as well the present Committee as every future Committee, shall meet and assemble together at some convenient house or room in London, at least once in every three months, and at all such other times as they shall think fit; provided always that they meet on, or immediately subsequent to the 1st day of March, and the 1st day of September in every year; and any five or more of them being so met or assembled together, shall have power to conduct and direct all such affairs and business of the said Society as are hereinafter for that purpose mentioned, according to the rules, directions, orders, and ordinances hereinbefore and hereinafter particularly mentioned, and according to such bye-laws, orders, or ordinances as shall at any time or times hereafter be made and agreed to by them, and approved of by and at a general meeting of this Society as hereinafter is expressed.

XXXII.

THAT all proceedings of the said Committee shall be entered or minuted in a book to be kept for that purpose. That at every meeting of the said Committee, shall be read all letters addressed to the said Committee, or to the said Society, or their Secretary; and all such letters, and the answers thereto, shall be registered and duly entered.

XXXIII.

THAT the Committee shall, as far as in them lies,

take care that the laws of the Society be duly observed by the Members thereof, and shall report every breach or violation of such laws which may come to their knowledge, at the next general meeting of the said Society.

XXXIV.

THAT if any Member of the yearly Committee shall within the period for which he was chosen, die, or remove from London, that then the other Members of the Committee shall, at their next meeting, elect and choose some other Member of the said Society, resident in London, and who shall from thenceforth for the remainder of the then current year, be a Committee-man in the place and stead of the Committee-man dying or removing as aforesaid.

XXXV.

THAT at every annual general meeting, two Members, not Members of the Committee of Management, shall be chosen from the general body, by the majority of the votes of the Members present, auditors of the Society's accounts for the ensuing year, of whom one shall have been an auditor for the year preceding.

XXXVI.

If the said Committee shall have doubts concerning

any affidavit laid before or transmitted to them, or to the Society's Secretary, they shall enquire and examine the matter thereof, and shall not order payment of any pension or annuity to the Widow transmitting such affidavit, until their doubts respecting the same, are cleared up and fully obviated.

XXXVII.

THE said Committee shall order the payment of all pensions justly payable by the Society to all such Widows, concerning whose affidavits no doubt shall have arisen, expressing the exact sum to be paid to every such Widow : and shall likewise order the payment of an honorary remuneration, or such annual salary as may hereafter be agreed upon, to the Secretary ; and all other established and invariable expences payable by the Society ; and shall lay a state or account of the extraordinary expences whenever there are any, before the Society at their next general meeting, after such expences shall have been incurred, and come to the knowledge of the said Committee.

XXXVIII.

THE said Committee shall see that all the sums of money by them ordered to be paid, be duly paid ; and that all monies directed by them to be received by the Secretary, be by him regularly and properly brought to account, and that the annual subscriptions

paid by the Members that are married, and by those unmarried, and all extra contributions received for the purposes aforesaid, and every fine paid, and to be paid, together with the name of each person paying the same, shall be plainly, separately, and distinctly set down, and expressed in the account book.

XXXIX.

THAT after every annual general meeting, the Committee shall prepare a report of the state of the funds and proceedings of the Society, to be printed and circulated among the Members.

XL.

THAT every matter proposed to or moved in the Committee, which in their judgment they have not power to settle, shall be reported and referred to the Society at their next general meeting.

XLI.

THAT the said Committee shall, at the end of each year, examine and sign the Secretary's books of accounts, or render to the next general meeting, a sufficient reason for not signing the same.

XLII.

THAT every such Committee in their meetings to

be held as aforesaid, are to direct, order, transact, and do all such other matters, business, and affairs of and concerning the said Society, as shall come before them, or as they in their judgment and discretion shall think necessary and expedient; subject nevertheless to the controul or revocation of the next, or any subsequent general meeting of the Society.

XLIII.

THAT the Trustees for the time being, in whose names the capital or stock of the Society may happen to stand, shall and may, from time to time, jointly grant any letter or letters of attorney, as occasion may require, to enable the Committee for the time being, or any person or persons in their behalf, to receive the dividends of the Society's stock for the purposes of the said Society.

XLIV.

THAT whenever it shall be necessary to lay out any of the Society's money in the public funds, the Committee shall then take care and see that the same be duly and properly laid out as directed in Article 15, in the names of the Trustees for the time being.

XLV.

THAT at every general Meeting, the Committee shall

exhibit and lay before the Society a true state of the accounts, and all such other proceedings, affairs and business concerning the Society, as the said Committee shall judge proper and necessary, or as such general meeting shall direct; and every such general meeting shall have thereupon full power and authority, by a majority of the votes of the Members then present, to approve, or disapprove of such accounts or any items or articles, therein contained; and to approve or disapprove, confirm or annul any act of the said Committee done after or since the then last general meeting; or may refer to the Committee for the time being, any business, affair, or matter brought before them concerning the said Society, to be by the said Committee reported at the next general meeting for confirmation.

XLVI.

THAT the proceedings of all the general meetings of this Society, shall be duly minuted, and entered in a book or books to be kept for that purpose.

XLVII.

THAT the articles herein contained, and all other laws, rules, orders, and regulations of the said Society may be altered, rescinded, or made void and totally abolished; and any new laws, rules, orders, and regulations, for the better ordering and management

of the affairs of the said Society, may be made and established in manner hereinafter mentioned ; that is to say, every new law, rule, order, or regulation shall be first proposed in writing, signed by at least three Members of this Society, and delivered to, and laid before the Committee for the time being, at one of their Quarterly meetings, and shall be carefully examined and considered by the said Committee, at two of their meetings at least ; and if the same shall be approved by the said Committee, at any two successive quarterly meetings, then, and not otherwise, such new law, rule, order, or regulation, together with the resolution of the said Committee thereupon, and their opinion concerning the same, shall by the said Committee, be laid before the next general meeting of the said Society for their consideration ; which general meeting may (if upon reckoning and casting up the number of votes, there shall be full three fourth parts of the votes of all the Members present, for passing and establishing such newly proposed law, rule, order, or regulation) then and not otherwise pass the same into, and confirm, and establish it as a law of the Society, and such determination shall be conclusive and binding to and upon all the Members of the said Society ; as well the Members dissenting therefrom, as those consenting thereto.

XLVIII.

THAT the Committee-men and Trustees for the time

being, of this Society, shall be indemnified, and saved harmless by this Society, of, from, and against all costs, charges, damages and expences which they or any of them shall sustain, or be put unto, for or by reason or means of their acting in the due execution of the several trusts and matters thereby in them respectively reposed, and that none of them shall be answerable or accountable for the acts, receipts, neglects or defaults of the other or others of them; but each of them for his own acts, receipts, neglects and defaults only.

XLIX.

PROVIDED always, that such indemnity shall not extend to affect the private and particular fortune or estate of any Member or Members of this Society, but only the joint stock or other estate or effects which shall from time to time belong to the said Society.

L.

THAT if any difficulty, doubt, or controversy shall at any time arise, touching the management of the concerns, or the payment of subscriptions, fines, or pensions, or any other matters relative to this Society, the matters in dispute shall be submitted to the decision of the Trustees for the time being, and if not satisfactory to both parties, shall be finally decided by his Majesty's Attorney-General, Solicitor-General,

and the eldest King's Counsel practising in the Court of King's Bench at Westminster, for the time being, upon a case fairly stated in writing for that purpose; the opinion of the major part of whom shall be final in determining the same, and the person or persons against whom the said decision shall be made, shall pay, discharge, and satisfy all fees, costs, charges, and expences, which shall have been occasioned by referring such disputes and differences in manner before mentioned.

LI.

THAT no subject whatever be proposed or agitated in this Society, but what relates to the object for which it is established.

LII.

THAT these presents, and every thing herein before contained, shall be, and are binding in every respect, to all intents and purposes, upon all and every the person and persons hereunto subscribing, and thereby and in any manner howsoever becoming or deemed Members of this Society.

LIII.

EVERY officer aforesaid, on becoming a Member of this Society, shall be required to sign a declaration,

agreeably to the form No. 1, in the Appendix, within three months after his admission, if in the United Kingdom; six months if out of the United Kingdom, but in Europe; and twelve months if in other quarters of the globe; which must be forwarded without delay, to the Secretary of the Society; and every married subscriber shall also fill up a declaration agreeably to the form No. 2, in the Appendix.



Note.—All Communications whatever, relative to the Business of the Society, are to be made by Letter, to the Secretary, MR. THOMAS TANNER, Army Medical Department, London.

APPENDIX.

[No. 1.]

I, _____ do hereby consent to all the *Rules and Regulations* contained in the *Laws* established for the management of the *Society*, for the *Benefit* of the *Widows* of *Officers* of the *Hospital and Regimental Medical Staff* of *His Majesty's Army*, and as a *Member* of the same, do hereby subscribe my Name, and authorize the *Secretary* of the *Society* to add the same to the general *Deed* of the *Society*.

[No. 2.]

I, _____ being desirous of becoming a *Married Member* of the *Society* for the *Benefit* of the *Widows* of *Officers* of the *Hospital and Regimental Medical Staff* of *His Majesty's Army*, do hereby declare, that the undermentioned *Statement* of the *Ages* of myself and *Wife*, and of the *Date* of our *Marriage* respectively, are correct.

AGE.	WIFE'S AGE.
Years.	Years.

Date of Marriage _____

The Widow to sign here.

Sworn before me at
this day of _____ in the year _____ }

_____ { Magistrate's Name
and
Residence.

[No. 4.]

The Widow to sign here.

Sworn before me at
this day of in the year

} Magistrate's Name
and
Residence.



